

SAFE Seafood Act – Changes from 112th to 113th

After the introduction of the Safety And Fraud Enforcement for Seafood Act (H.R. 6200) in the 112th Congress, Rep. Markey worked with the fishing industry, conservation and consumer groups, and the affected federal agencies (FDA and NOAA) to improve the bill language in advance of reintroduction in the 113th Congress. While the general principles and mechanisms remain intact, the following significant changes were made:

- Section 2 dealing with seafood safety was revised to more fully recognize FDA's existing authority and new responsibilities under the Food Safety Modernization Act, especially with respect to refusal of admission of seafood based on safety concerns.
- Section 2 was also amended to provide more flexibility for FDA in determining how to incorporate data obtained through inspection of seafood by other federal, state and local agencies into their seafood safety inspection program.
- Section 3 dealing with seafood traceability was revised to require more specific information about where imported fish was caught or grown.
- Section 3 was also revised to 'hold harmless' from penalties any domestic seller of seafood that passes along a product that was misrepresented to that seller, provided that the seller can produce the original fraudulent documentation that came with the seafood shipment.
- Section 3 was further amended to clarify the roles of NOAA and FDA in refusing imports of seafood found to be fraudulent.
- Finally, Section 3 was changed to make clear that it required updating of FDA's *List of Standardized Names for Seafood*, rather than the creation of a new and separate list.